

MICHIGAN NATURAL RESOURCES TRUST FUND

BOARD OF TRUSTEES MEETING

Minutes of April 7, 2010
Lansing Community College West Campus, 5708 Cornerstone, Lansing

The meeting of the Michigan Natural Resources Trust Fund (MNRTF) Board of Trustees commenced at 9:10 AM, April 7, 2010.

The following Board members were present:

Bob Garner
Dennis Muchmore
Lana Pollack
Frank Torre

Mr. Keith Charters was not in attendance due to a prior commitment.

Also in attendance were various staff members of the Department of Natural Resources and Environment (DNRE) and other interested parties.

I. ADOPTION OF MINUTES FOR MEETING OF FEBRUARY 3, 2010.

Chairperson Pollack called for a motion to adopt the minutes from the February 3, 2010 Board meeting.

MOVED BY MR. GARNER, SUPPORTED BY MR. TORRE, TO APPROVE THE MINUTES OF THE FEBRUARY 3, 2010 MNRTF BOARD MEETING. PASSED WITHOUT DISSENTING VOTE.

II. ADOPTION OF AGENDA FOR MEETING OF APRIL 7, 2010.

Chairperson Pollack called for a motion to adopt the agenda for the April 7, 2010 MNRTF Board meeting.

MOVED BY MR. MUCHMORE, SUPPORTED BY MR. TORRE, TO ADOPT THE AGENDA FOR THE APRIL 7, 2010 MNRTF BOARD MEETING. PASSED WITHOUT DISSENTING VOTE.

At this point, Chairperson Pollack asked Ms. Deborah Apostol, Unit Manager, Recreation Grants, Grants Management, DNRE, to introduce DNRE staff in attendance. Introduced were: Rodney Stokes, Science/Policy/Legislative/Regulatory Chief; Frank Ruswick, Stewardship Deputy Director; staff from Grants Management included Jim Wood, Chief, Sam Duncan, Jule Stafford, Lisa McTiernan and Linda Harlow; other DNRE staff included Earl Flegler (Wildlife Division), Paul Yauk (Recreation Division), Frank Bello (Kalamazoo District Office), and Ed Meadows (OLAF).

III. OLD BUSINESS.

Jean Klock Park, City of Benton Harbor – Update

Mr. Jim Wood advised the Board that there has not been much change in the Jean Klock Park mitigation issue since that last Board meeting. The City of Benton Harbor has a copy of the issues raised by the Board at their October 2009 meeting, and are preparing to review and act upon them.

Mr. Wood stated that yesterday he received a document from Harbor Shores to assist him in starting his review ahead of the city's actions. In addition, there is also a site remediation plan that has been put forth which the city is reviewing. DNRE staff has not had much review of this plan.

Chairperson Pollack stated that she has looked at the proposals for remediation, but they are not official as the city has not accepted them. Some of the issues are not just the mitigation parcels, but access to the park for the public who is not playing golf. In addition, there are safety issues that need to be addressed. Also, the issue Mr. Torre's raised last December regarding testing the water that the public may have contact with (runoff) from pesticides, etc. needs to be resolved.

Chairperson Pollack remains concerned about whether or not contaminated fill was brought into the golf course area and then into the park, and whether an areas that was not contaminated became contaminated. This question needs to be answered.

Chairperson Pollack hopes that by the Board's next meeting there will be a report and that the city will have been able to come to an agreement with Harbor Shores on these issues.

TF96-215, Watershed Township Park and TF97-136, Watershed Township Park (Fore Lakes Township Park), Addison Township – CONVERSION PROPOSAL

Mr. Wood outlined the conversion proposal for TF96-215, Watershed Township Park and TF97-136, Watershed Township Park (Fore Lakes Township Park, Addison Township. The township is requesting a conversion of a portion of the park acquired with MNRTF assistance to enter into a long-term lease with Verizon Wireless for a cellular phone tower.

As was mentioned at the Board's last meeting, there was a question regarding the appraised values of the property. This issue has now been resolved. The exchange property is of fair value. The township has made the public aware of the conversion. The fundamental criteria for approving the conversion have been met.

At this point, several members of the audience made comments regarding the proposed conversion.

Mr. Robert Koski, a resident of Addison Township, was opposed to the proposed conversion. He expressed many reasons as to why a cell tower should not be placed in the Watershed Township Park:

- Cited Board Policy 94.1, conversion policy, stating that cell towers were prohibited for a conversion. Also the policy states that all reasonable alternatives must be exhausted (16c) before a conversion is approved.
- There are two alternative sites identified for the cell tower. Verizon has an open application currently pending within the Village of Leonard.
- Verizon's attorney stated that placing the cell tower to the north of Leonard and the west side of Rochester Road would not meet the broadcast needs of the area.
- Objected to the appraisal of the property.
- The property being offered is currently in litigation and should not be considered for replacement property.
- The township administration has violated rules and regulations of local ordinances and the MNRTF by making a nature preserve into a high-traffic area (excavating, buildings, no site plans or purchasing procedures).
- The township cannot afford a first-rate recreation park. The township does need and can afford a nature preserve.

Mr. Koski read a letter from a resident geologist/author of the township's recreation plan concerning the problems with the proposed conversion into the record.

Ms. Karen Koski, a resident of Addison Township, made comments. Mr. Robert Koski, her father, is a former supervisor of the township. When he was supervisor, with the assistance of the MNRTF, the watershed park was created and developers were kept out. The current township administration wants to develop this watershed area. The township has already excavated areas of the park and put in buildings, without site plans or authorization from the MNRTF. She also was concerned about the water table in the area being impacted. In addition, the township wants to increase usage of the park by bringing school children in. She asked the Board to deny the conversion proposal.

Mr. Rodney Blaszyk, Park Committee Member, Addison Township, made comments. He stated that a 156-year old school house was relocated to the park. Site plans were used that had been prepared previously. About one-fifth of the site plan was originally used for the park area. The township is trying to make this park into a first-rate park and to be available to the public. Trespass signs have been removed and the area has been opened to the public.

The property that is being proposed for replacement property for the cell tower is more valuable than the parking lot area which would be where the cell tower would be. Mr. Blaszyk would rather see a cell tower placed on public property rather than private. The cell tower would benefit the community by providing cellular service.

The water tables would not be impacted by the proposed cell tower and will be protected. There would be no runoff in the low lining areas.

Mr. Blaszyk asked the Board to approve the conversion proposal.

Mr. Torre asked about the building that was put on the property and the fact site plans were not being used. Ms. Koski stated that the township administration has a pattern of asking forgiveness rather than permission. The only reason the township is here today is that Verizon insisted that they follow all proper procedures. There is an open

application for a cell tower by Verizon within the village limits in Leonard. In addition, no one ever tested the 156-year old building for contaminants.

Chairperson Pollack asked about Board Policy 94.1, 16c. She wanted to know, in particular, if this policy referenced cell towers. Ms. Apostol responded the policy states that “conversions include the addition of any public or private facilities other than outdoor recreation facilities and facilities to support outdoor recreation within the Michigan Natural Resources Trust Fund project area...includes the addition of cellular towers...”. Paragraph 16c states: “Reasons for the proposed conversion and a demonstration that the grant recipient has reviewed and exhausted all reasonable alternatives before proposing a conversion.”

Ms. Pauline Bennett, Addison Township Clerk, provided additional comments regarding the watershed park.

Discussion ensued regarding the conversion and the parcel being proposed for mitigation.

Mr. Muchmore asked if the township had a millage for operation of parks. Ms. Bennett responded that money is appropriated yearly to go into the parks. Mr. Blaszyk added that there are donations that also go into the park fund, as well. Mr. Muchmore asked how much the township would get for leasing to Verizon. Mr. Blaszyk responded that he believed it was about \$18,000 per year with 3 percent increments on an annual basis. All funds would be used for the park.

Ms. Koski made additional comments that it is important the watershed park be kept in its pristine condition.

Chairperson Pollack stated that it is important that any action the Board takes is consistent with its own policies. Also, she wanted to make sure that all alternate locations for the cell tower have been exhausted. This seems to be the outstanding question in the current Board policy. In addition, she feels that the Board’s policy, if it does not do so at this time, address if there will be an impact on the rest of the property that is not being converted (devaluing the property).

Chairperson Pollack asked about the status of other alternative locations. Mr. Wood responded that to his knowledge, the other applications that have been submitted for other locations have been identified as not suitable or been denied. Mr. Koski stated that Verizon has an application in to the Village of Leonard and the village has tabled it. If Addison Township’s request is approved, the village will cancel out Verizon’s application. Ms. Bennett provided additional comments on the proposed cell tower conversion.

MOVED BY MR. MUCHMORE, SUPPORTED BY MR. TORRE, TO APPROVE THE CONVERSION REQUEST FOR TF06-215, WATERSHED TOWNSHIP PARK AND TF97-136, WATER TOWNSHIP PARK (FORE LAKES TOWNSHIP PARK), ADDISON TOWNSHIP. CHAIRPERSON POLLACK CAST A NO VOTE. MOTION PASSED WITH ONE DISSENTING VOTE.

Board Policy Review – Additions/Deletions/Revisions to Booklet

Mr. Garner stated he would like to see a Board policy developed for recognition of all members serving on the Board. He would also like to see Board members receive a plaque to acknowledge their years of serving on the Board.

Mr. Garner also stated that there needs to be a formal policy on public appearances to strictly limit the amount of time for each presentation. Chairperson Pollack commented that she feels that when someone wishes to make a presentation, it is better that they be allowed to be heard than not. Mr. Garner responded that there still should be a strict limit on the amount of time they are allowed to speak.

Chairperson Pollack stated since hunting is a long-term value of the MNRTF Board, she believes there should be some type of evaluation by staff of where the needs are for recreation activities, starting with hunting. This would not be a policy, but it would be a useful information tool for the Board. Mr. Muchmore concurred. This would be more beneficial in a mapping format.

Mr. Muchmore stated that in the next six to eight months, the Board needs to do a re-evaluation of the point scoring system.

Mr. Rodney Stokes added that every five years the DNRE is required to prepare a Statewide Comprehensive Outdoor Recreation Plan (SCORP) to be eligible for federal Land and Water Conservation Fund funding. The next plan will be due in 2012. Staff will need to start preliminary work at this time. This will reveal recreation needs in the state and in what areas they are needed. Staff can also look at the scoring criteria at this time. Staff can look at what projects were funded and where they are located. The Board will be provided a synopsis of these needs and scoring criteria changes so they can be included in the 2011 grant cycle.

Mr. Stokes also stated that we need to identify a history of where the MNRTF funds have been allocated.

Chairperson Pollack stated that because of potential retirements, there could be a change in staffing. She wondered if a committee should be formed to assist in identifying recreation needs. Mr. Garner suggested perhaps having a recreation “visionary” meeting, with a facilitator. This was done several years ago and involved staff, local units of governments and others. Mr. Stokes suggested that he work with Chairperson Pollack and Board members to put some ideas together and develop a plan of action.

Chairperson Pollack would like to have “Public Appearances” placed at the top of the agenda for future meetings. Mr. Garner concurred. Mr. Stokes stated that this was changed as several years ago public appearances were going on so long that the Board did not have the time to conduct its regular business. That is when staff was asked to place “Public Appearances” after the Board’s regular business agenda items.

IV. NEW BUSINESS.

2010 Application Cycle – Application Lists

Ms. Apostol outlined the 2010 application cycle lists for the Board's information. There were 140 applications received, 32 acquisitions and 108 developments, with almost \$90 million in requests.

Applications were received by the April 1, 2010 deadline and there will be adjustments to the lists.

2010 MNRTF Applicants – Invitations to Make Presentations at June and August Board Meetings

Ms. Apostol stated that various acquisition and development applicants will be invited to make presentations at the June and August Board meetings. If the Board has any applicants they wish to have invited to either of these meetings, let staff know by May 14th. At the June 16th meeting, which will be held in Indian River, applicants from the Upper Peninsula and Northern Lower Peninsula will be invited to make a presentation. At the August 18th meeting in Lansing, applicants from the Southern Lower Peninsula will be invited to make a presentation.

Mr. Garner stated that a social event is being planned for the evening before the Board meeting in Indian River for Board members and staff at the Columbus Beach Club. Tuscarora Township will also be hosting a luncheon and a tour of their recreation project for the Board and staff after the Board meeting. Mr. Garner has rooms for Board members at his cottage in Burt Lake if they wish to use it rather than a hotel.

Mr. Muchmore would like the Board to receive the accumulated investments of MNRTF funding in each county. Ms. Apostol responded she will provide this to the Board.

TF06-096, Barrier Dunes Sanctuary Expansion, White River Township (Muskegon County) – PROJECT WITHDRAWAL

Mr. Garner commented that this request for withdrawal was very well written and to the point. He wished to extend his compliments to Ms. Joy Ann Lehman for her letter.

MOVED BY MR. GARNER, SUPPORTEED BY MR. TORRE, TO APPROVE THE WITHDRAWAL OF TF06-096, BARRIER DUNES SANCTUARY EXPANSION, WHITE RIVER TOWNSHIP. PASSED WITHOUT DISSENTING VOTE.

V. STATUS REPORTS.

DNRE Real Estate Report – State Acquisitions

Mr. Ed Meadows, Manager, Real Estate Services Section, Office of Land and Facilities, DNRE, outlined the DNRE Real Estate Report. He outlined inholdings for Waterloo Recreational Land Initiative (Washtenaw County), Wildlife Land Consolidation Initiative (Monroe County), Upper Peninsula Eco-Region Consolidation (Schoolcraft County),

Mitchell State Park Bear Marsh Acquisition, and State Forest Land Consolidation Initiative (Emmet County).

Mr. Meadows further stated that the Mitchell State Park property had been on the market for many years. This doubles the size of the state park. Mr. Garner stated that the original asking price was \$1.2 million. The DNRE purchased the property for \$475,000. Several hundreds of thousands of dollars were saved as a result of DNRE staff. Mr. Garner was very appreciative of this.

Mr. Meadows pointed out that the State Forest Land Consolidation Initiative in Emmet County is part of a land exchange that was facilitated by the Little Traverse Conservancy, which involves 248.65 of state-owned lands. The DNRE will acquire a total of 97.7 acres in the transaction of which 30 acres will be purchased. The Little Traverse Conservancy will manage the lands they obtain in the exchange. Parcels 1 and 2 will be acquired by exchange and Parcel 3 will be by purchase.

Mr. Meadows further stated that the 2006 projects are waiting to be closed and all funds will be utilized.

Mr. Meadows stated that the Governor has signed the Appropriations Bill containing the 2009 MNRTF grant projects. Chairperson Pollack added that she wished to thank Heart of the Lakes, Michigan Recreation and Park Association, etc. for their help in getting the MNRTF bill passed quickly.

Completed MNRTF Projects Report

No discussion.

Financial Report

No discussion.

Open Projects Status Report

No discussion.

MNRTF Lump Sum and Line Item Department Projects

No discussion.

Grants Management Outreach Report

No report submitted for this meeting.

VI. PUBLIC APPEARANCES.

Mr. Tom Bailey, Executive Director, Little Traverse Conservancy

Mr. Tom Bailey, Executive Director of Little Traverse Conservancy, made comments regarding 10-124, Pigeon River Property Acquisition, submitted by DNRE's Forest Management Division for possible funding. This acquisition project adjoins the Pigeon

River State Forest. This project has a conservation easement on the property and as a result appraises lower. The DNRE will be able to acquire this property at a much lower cost.

Mr. Bailey also made some comments on the Board policies, in particular regarding southern Michigan game areas. It might be the time to look at bonding potentials to designate a portion of the MNRTF for a number of years to fund these game areas. The Board should not forget the other areas of the state, as far as needs and the number of users of recreation facilities (citing the Cheboygan to Gaylord Trail as an example).

Mr. Bailey stated that he would be happy to participate on any committee to identify recreation needs.

Mr. Garner commended Mr. Bailey for stressing at the December 2009 Board meeting the need to pass the MNRTF bill in a timely manner. He believes the legislators that were in attendance took note of the importance of early passage.

VII. OTHER MATTERS AS ARE PROPERLY BROUGHT BEFORE THE BOARD.

Mr. Muchmore asked Mr. Dennis Schornack, Executive Director, Michigan Recreation and Park Association (MRPA), what his thoughts were concerning the check-off for license tabs of the recently passed Recreation Passport. Mr. Schornack hopes that it will be an "opt out" rather than "opt in" system. MRPA is looking for opportunities to assist the DNRE to promote the "opt in" option. The law takes effect on October 1. MRPA is very optimistic about the system.

Chairperson Pollack asked what the funding sources were to advertise and promote the Passport system. Mr. Schornack responded that there was not a funding source for promotion. There will be administrative fees allocated to the Department of State for administering the system.

Chairperson Pollack wondered if it was possible to use MNRTF funding to promote the Passport system and, if it was possible, would this be something the Board would want to do.

Mr. Frank Ruswick, Deputy Director, Stewardship, made some comments. The DNRE is aware of the need to market the Recreation Passport. There is an internal committee that is working to put together a marketing effort. The Board will be kept apprised of progress made by this internal committee.

Mr. Ruswick pointed out that the funding is not only available to state parks, but local recreation support and state forest activities.

Mr. Muchmore stressed the need to get the word out as to what kinds of activities the Passport would provide and the need to advertise. Public support is necessary.

VIII. ANNOUNCEMENTS.

The next meeting of the Michigan Natural Resources Trust Fund Board is scheduled for 9:00 AM, Wednesday, June 16, 2010, Tuscarora Township Hall, 3546 S. Straits Highway, Indian River, Michigan.

IX. ADJOURNMENT.

**MOVED BY MR. GARNER, SUPPORTED BY MR. TORRE, TO
ADJOURN THE MEETING. PASSED WITHOUT DISSENTING VOTE.**

The meeting was adjourned at 11:00 AM.

Lana Pollack, Chairperson
Michigan Natural Resources Trust Fund
Board of Trustees

James Wood, Manager
Grants Management

DATE